

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 34019

STATE OF IDAHO,)	2008 Unpublished Opinion No. 385
)	
Plaintiff-Respondent,)	Filed: March 4, 2008
)	
v.)	Stephen W. Kenyon, Clerk
)	
ANITA M. MARCELL,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Second Judicial District, State of Idaho, Nez Perce County. Hon. Carl B. Kerrick, District Judge.

Judgment of conviction and suspended unified sentence of five years, with a minimum period of confinement of one and one-half years, for possession of a controlled substance, affirmed.

Molly J. Huskey, State Appellate Public Defender; Heather M. Carlson, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

PER CURIAM

Anita M. Marcell pled guilty to possession of a controlled substance. I.C. § 37-2732(c)(1). The district court sentenced Marcell to a unified term of five years, with a minimum period of confinement of one and one-half years. However, the district court retained jurisdiction for 180 days. Following completion of her retained jurisdiction, the district court suspended Marcell's sentence and placed her on probation. Marcell appeals.

Sentencing is a matter for the trial court's discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. *See State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho

722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Marcell's judgment of conviction and sentence are affirmed.